

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

WALTER RAGLIN,

:
Petitioner, : Case No. 1:00-cv-767
: District Judge Walter Herbert Rice
-vs- : Chief Magistrate Judge Michael R. Merz

BETTY MITCHELL, Warden,

:
Respondent.

SCHEDULING ORDER

The Magistrate Judge having recommended that Respondent's statute of limitations defense to the added claims be denied, it is hereby ORDERED that Petitioner file any motion for evidentiary hearing not later than April 25, 2005. Such motion must set forth the identity of any proposed witnesses and must make the showing required by *Keeney v. Tamayo-Reyes*, 504 U.S. 1, 112 S. Ct. 1715, 118 L. Ed. 2d 318 (1992), of diligence in presenting such evidence to the state courts.

April 4, 2005.

s/ **Michael R. Merz**
Chief United States Magistrate Judge